

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

JUDYANN BIGBY, MD
SECRETARY

JOHN AUERBACH
COMMISSIONER

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
William A. Hinton State Laboratory Institute
305 South Street, Jamaica Plain, MA 02130
Bureau of Laboratory Sciences

05-18-11

Dear ADA Clayton:

Enclosed is the discovery packet for Commonwealth V. [REDACTED] Enclosed are copies of the following information:

1. The Drug Laboratory Receipt
2. The Drug Laboratory Control Card
3. The Drug Powder Analysis Form
4. The GC/MS Confirmatory Data and Kate's Gas Chromatography results.

Kate Corbett was the primary chemist for this case. I was the confirmatory chemist. If you would like to discuss this case, please feel free to call me directly at the number below.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Piro".

Peter Piro
GC/MS Laboratory Supervisor I
Department of Public Health
Hinton State Laboratory Institute
Forensic Drug Laboratory, Rm 361
305 South Street
Jamaica Plain, Ma 02130
617-983-6634
Peter.Piro@state.ma.us

Piro, Peter (DPH)

From: Clayton, David (NOR)
Sent: Friday, May 13, 2011 11:37 AM
To: Piro, Peter (DPH)
Subject: RE: [REDACTED]

Hi Peter:

I just realized that I never got the lab file for this case? Is this something that you could help me with?
Lab number is [REDACTED]

Thanks,
Dave

From: Piro, Peter (DPH)
Sent: Tuesday, April 05, 2011 6:58 AM
To: Clayton, David (NOR)
Subject: RE: [REDACTED]

Hi David,
Kate will be on maternity leave until September. Let me know how this will affect your case.
Peter

From: Clayton, David (NOR)
Sent: Monday, April 04, 2011 5:15 PM
To: Piro, Peter (DPH); Corbett, Kate (DPH)
Subject: [REDACTED]

Hi Peter and Kate:

I wanted to touch base on the [REDACTED] case which is scheduled for trial this Wednesday in Middlesex Superior Court in Woburn. The court is currently empanelling two separate murder trials, so things are a little backed up this week in terms of trials. One of those trials is actually in the session that the [REDACTED] case is scheduled to be in. It is possible, however, that we might be sent to another session for trial. If we do begin on Wednesday, I would expect that I would not need you until Thursday at the earliest, and likely Friday. Please let me know how your schedules are looking. I am in court tomorrow afternoon for a final PTC so I should know more re the schedule then.

Thanks,
Dave

David E. Clayton
Assistant District Attorney

Middlesex District Attorney's Office
63 Fountain Street
Framingham, MA 01702
Tel: 781-897-8800
Fax: 781-897-8801

The preceding email message (including any attachments) contains information that may be confidential, may be protected by the attorney-client or other applicable privileges, or may constitute non-public information. It is intended to be conveyed only to the designated recipient(s) named above. If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete all copies of it from your computer system. Any use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

PLEASE PRINT CLEARLY OR TYPE ALL INFORMATION



The Commonwealth of Massachusetts
Executive Office of Health and Human Services

Boston Drug
Laboratory
Tel (617) 983-6622
Fax (617) 983-6625

Department of Public Health
State Laboratory Institute

Amherst Drug
Laboratory
Tel (413) 545-2601
Fax (413) 545-2608

Boston Hours
8:00 – 11:00
2:00 – 4:00

Amherst Hours
9:00 – 12:00
1:00 – 4:00

DRUG RECEIPT

City or Department: FRAMINGHAM POLICE Police Reference No.: [REDACTED]

Name and Rank of Submitting Officer: OFF ALAN VUBESHTER #177

Defendant(s) Name (last, first, initial)
[REDACTED]

[REDACTED] 10/20/1960

[REDACTED] 09/06/1972

[REDACTED] 12/15/1974

Description of Samples	To be completed by Lab Personnel	
	Gross Weight	Lab Number
A: SPo w/ plastic bottle cap w/ burnt residue.	4.05 gm	[REDACTED]
B: SPB w/ two yellow wax paper packets w/ powder residue.	1.76 gm	[REDACTED]
C: SPB w/ one yellow wax paper packet w/ powder residue.	1.61 gm	[REDACTED]
D: SPB w/ one yellow wax paper packet w/ powder residue	1.61 gm	[REDACTED]

Received by:

Date:

12-13-80

Prelim: Heroin
Date Analyzed: 03-09-07

[REDACTED]
City: TAUNTON Framingham

[REDACTED]
Am't: Sub: RES Cont: 1 BOTTLE CAP
#TESTED: Dubeshter
Date Rec: 12/13/2006 From: DET. JAMES DYKAS
Gross Wt: 4.05 # Tests: 5/AC
• 2 P.P.R.

Net Weight: FINDINGS: Heroin

QUANT:

DRUG POWDER ANALYSIS FORM

AGENCY

Framingham

ANALYST

KAC

No. of samples tested:

Evidence Wt.

OK

PHYSICAL DESCRIPTION:

1 bottle cap w/ very
light brown residue
Rinsed cap w/ methanol

Gross Wt (): —

Gross Wt (): —

Pkg. Wt: —

Net Wt: —

Submitted w/ [REDACTED]

NOT
TESTED**PRELIMINARY TESTS****Spot Tests**Cobalt
Thiocyanate () +

Marquis _____ +

Froehde's _____ +

Mecke's _____ +

Microcrystalline TestsGold
Chloride _____

TLTA () _____

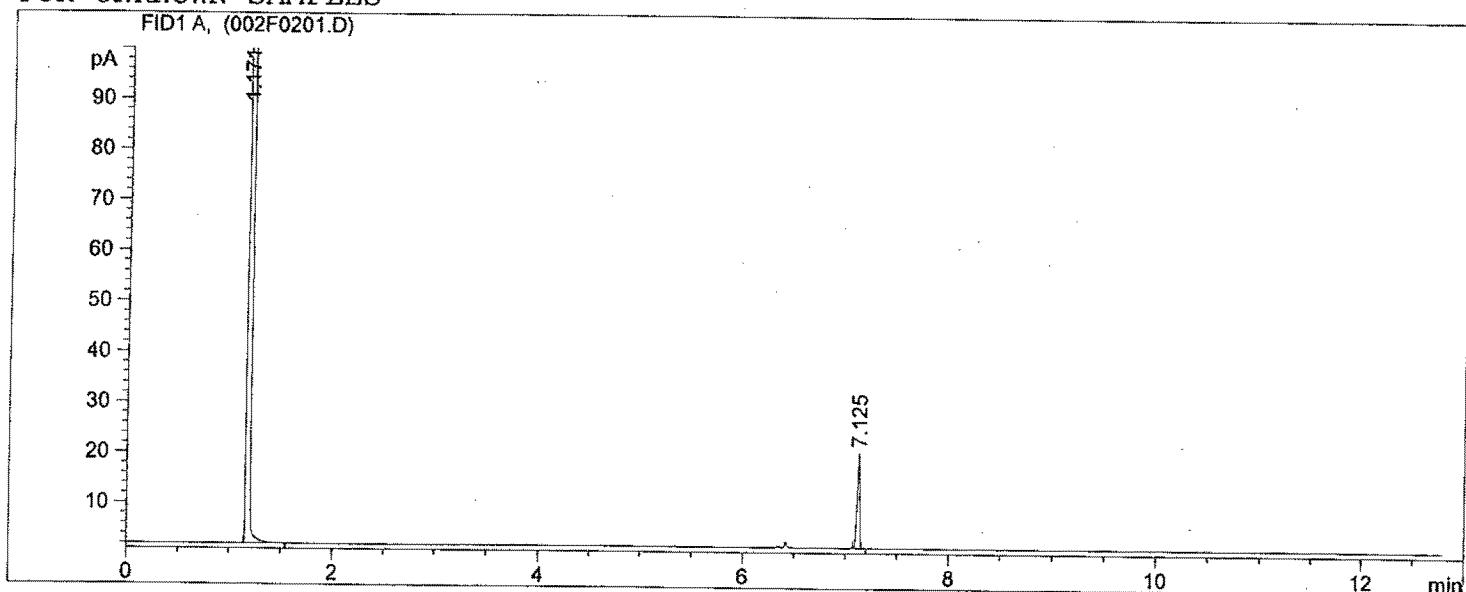
OTHER TESTS

GC = + for heroin
Compared to heroin std

PRELIMINARY TEST RESULTSRESULTS HeroinDATE 3/5/07**GC/MS CONFIRMATORY TEST**RESULTS Heroin (xylazine)MS
OPERATOR P. PindDATE 3/9/07

Revised 7/2005

=====
Injection Date : 3/5/2007 5:56:52 PM Seq. Line : 2
Sample Name : HEROIN STD Vial : 2
Acq. Operator : ASD Inj : 1
Inj Volume : 1 μ l
Sequence File : C:\HPCHEM\1\SEQUENCE\DCS.S
Method : C:\HPCHEM\1\METHODS\ROUTINE.M
Last changed : 2/1/2007 3:25:34 PM by ASD
FOR UNKNOWN SAMPLES



=====
Area Percent Report
=====

Sorted By : Signal
Multiplier : 1.0000
Dilution : 1.0000

Signal 1: FID1 A,

Peak #	RetTime [min]	Type	Width [min]	Area [pA*s]	Height [pA]	Area %
1	1.171	PB S	0.0189	2.49058e4	2.16635e4	99.86500
2	7.125	BB	0.0277	33.66916	18.93662	0.13500

Totals : 2.49395e4 2.16824e4

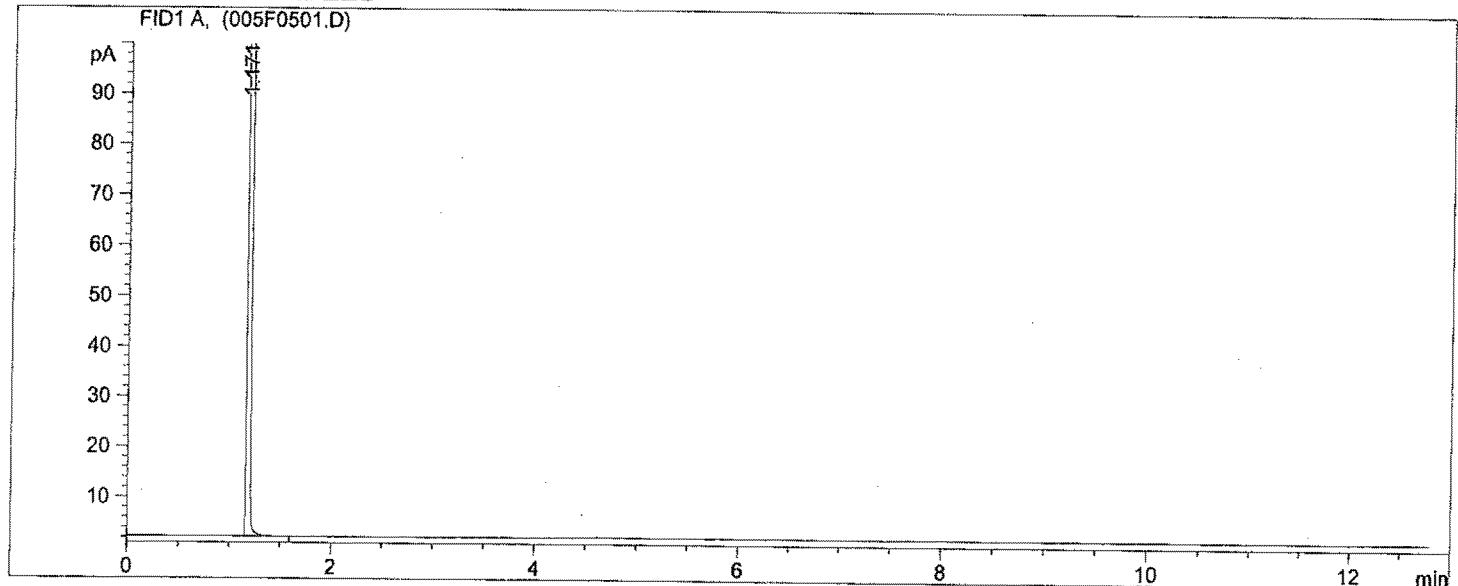
Results obtained with enhanced integrator!

=====
*** End of Report ***

=====
Injection Date : 3/5/2007 6:51:51 PM Seq. Line : 5
Sample Name : BLANK Vial : 5
Acq. Operator : ASD Inj : 1
Inj Volume : 1 μ l

Sequence File : C:\HPCHEM\1\SEQUENCE\DCS.S
Method : C:\HPCHEM\1\METHODS\ROUTINE.M
Last changed : 2/1/2007 3:25:34 PM by ASD

FOR UNKNOWN SAMPLES

=====
Area Percent Report
=====

Sorted By : Signal
Multiplier : 1.0000
Dilution : 1.0000

Signal 1: FID1 A,

Peak #	RetTime [min]	Type	Width [min]	Area [pA*s]	Height [pA]	Area %
1	1.171	BB S	0.0181	2.60052e4	2.32104e4	1.000e2

Totals : 2.60052e4 2.32104e4

Results obtained with enhanced integrator!

=====
*** End of Report ***

Injection Date : 3/5/2007 7:10:12 PM

Seq. Line : 6

Vial : 6

Inj : 1

Inj Volume : 1 μ l

Acq. Operator : ASD

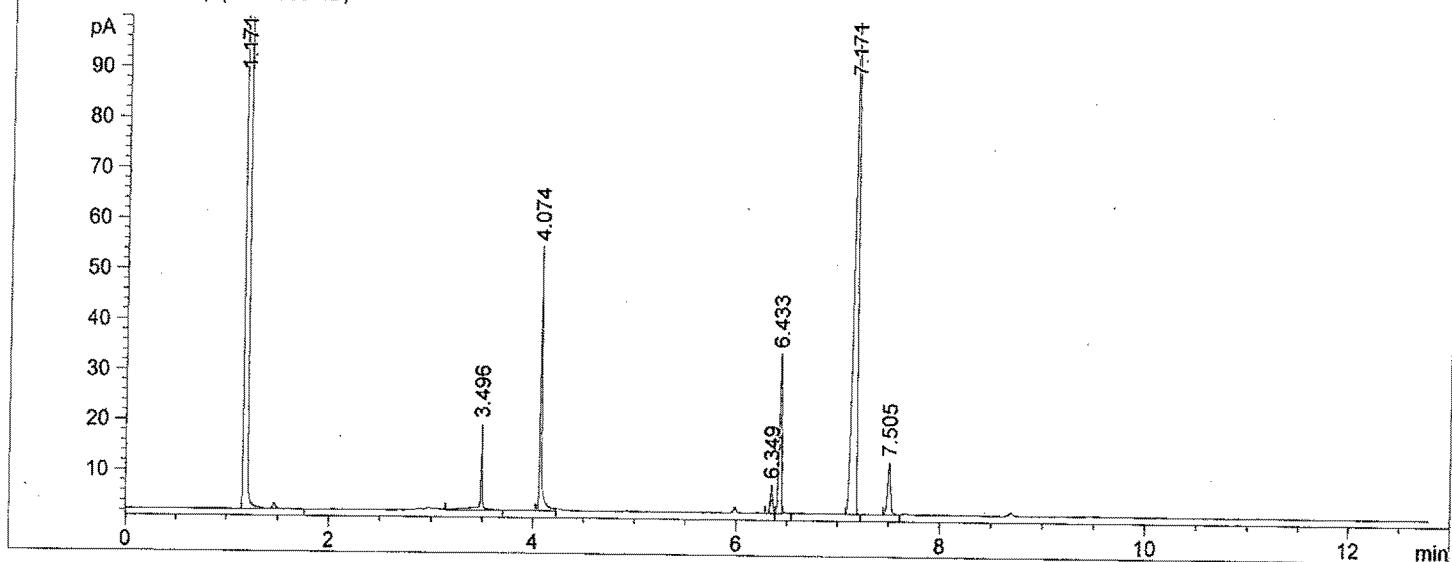
Sequence File : C:\HPCHEM\1\SEQUENCE\DCS.S

Method : C:\HPCHEM\1\METHODS\ROUTINE.M

Last changed : 2/1/2007 3:25:34 PM by ASD

FOR UNKNOWN SAMPLES

FID1 A, (006F0601.D)



Area Percent Report

Sorted By : Signal
 Multiplier : 1.0000
 Dilution : 1.0000

Signal 1: FID1 A,

Peak #	RetTime [min]	Type	Width [min]	Area [pA*s]	Height [pA]	Area %
1	1.171	PB S	0.0190	2.62601e4	2.27759e4	98.37487
2	3.496	VV	0.0212	25.37389	17.17626	0.09505
3	4.074	VV	0.0180	63.19674	52.48487	0.23675
4	6.349	VV	0.0228	8.20176	5.68844	0.03073
5	6.433	VB	0.0253	51.12760	31.69762	0.19153
6	7.171	BV	0.0358	263.98853	103.43044	0.98894
7	7.505	BV	0.0327	21.92216	10.35441	0.08212

Totals : 2.66940e4 2.29967e4

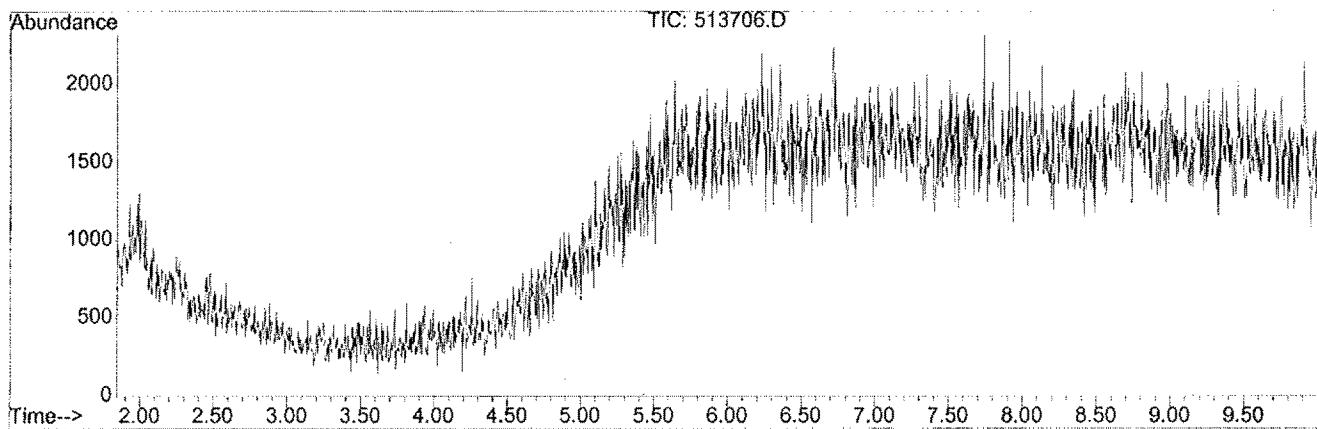
Results obtained with enhanced integrator!

*** End of Report ***

Area Percent / Library Search Report

Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 12:28
Sample Name : BLANK
Submitted by :
Vial Number : 1
AcquisitionMeth: DRUGS
Integrator : RTE



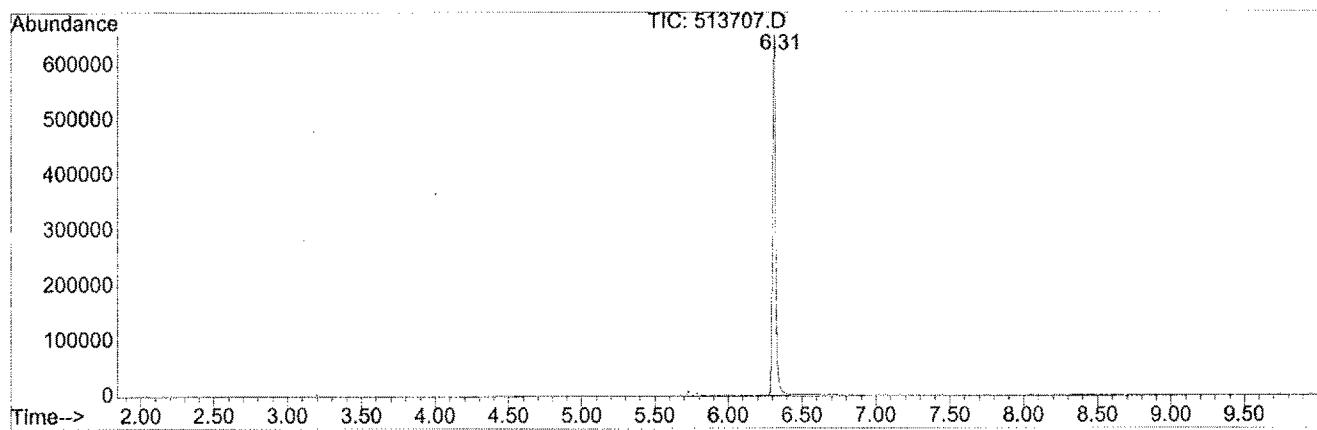
Ret. Time	Area	Area %	Ratio %
-----------	------	--------	---------

NO INTEGRATED PEAKS

Area Percent / Library Search Report

Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 12:42
Sample Name : HEROIN STD
Submitted by :
Vial Number : 7
AcquisitionMeth: DRUGS
Integrator : RTE



Ret. Time	Area	Area %	Ratio %
6.313	944854	100.00	100.00

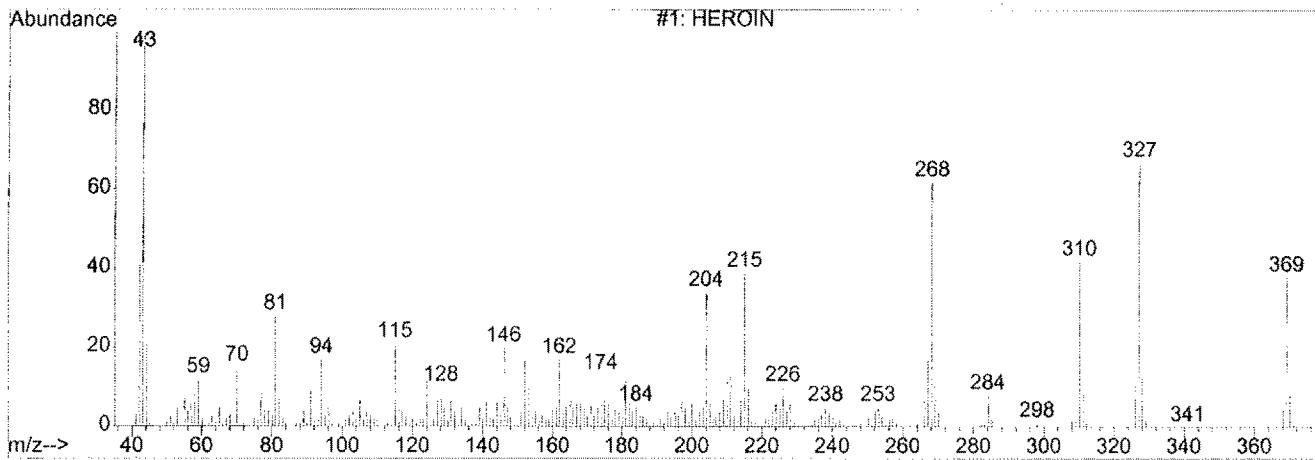
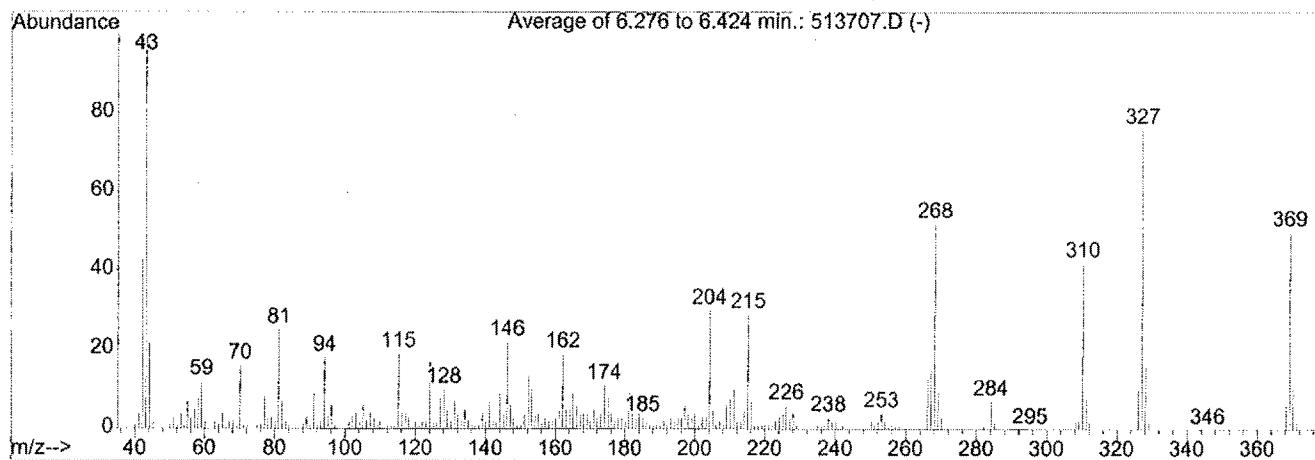
Area Percent / Library Search Report

Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 12:42
Sample Name : HEROIN STD
Submitted by :
Vial Number : 7
AcquisitionMeth: DRUGS
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90
C:\DATABASE\PMW_TOX2.L Minimum Quality: 90
C:\DATABASE\NIST98.L

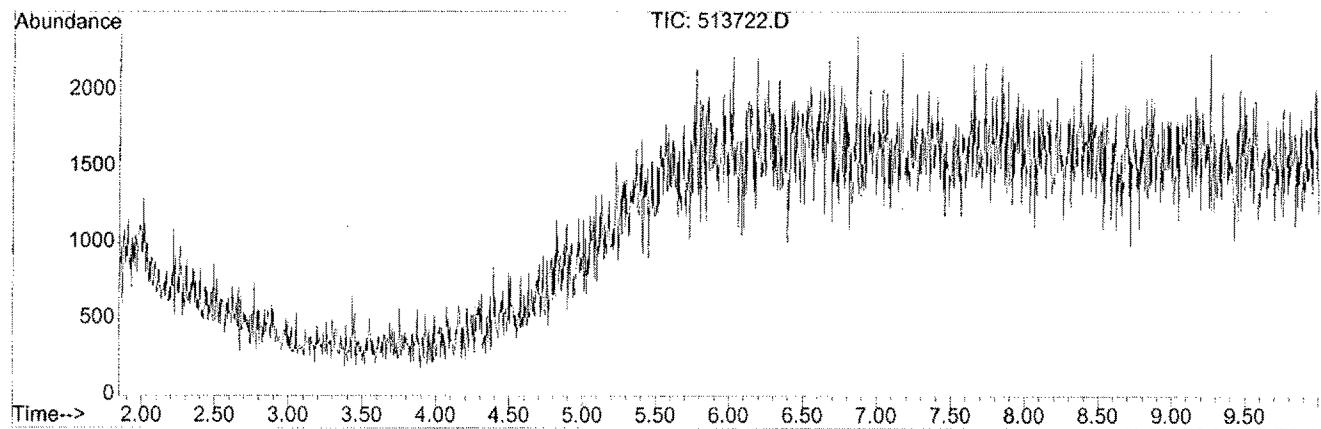
PK#	RT	Library/ID	CAS#	Qual
1	6.31	C:\DATABASE\SLI.L HEROIN	000561-27-3	99



Area Percent / Library Search Report

Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 16:09
Sample Name : BLANK
Submitted by : KAC
Vial Number : 1
AcquisitionMeth: DRUGS
Integrator : RTE



Ret. Time	Area	Area %	Ratio %
-----------	------	--------	---------

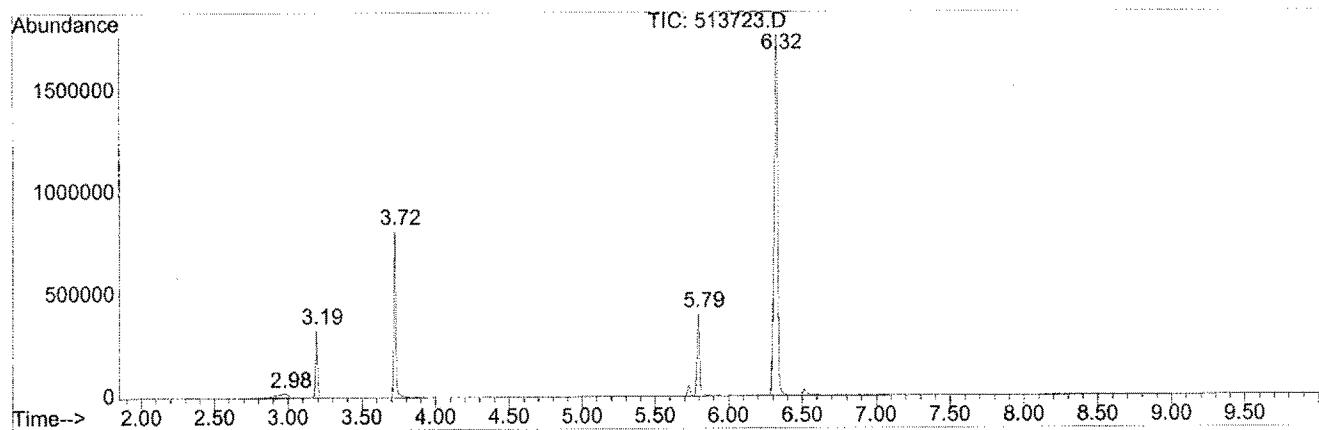
NO INTEGRATED PEAKS

Area Percent / Library Search Report

Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 16:23

Submitted by : KAC
Vial Number : 23
AcquisitionMeth: DRUGS
Integrator : RTE



Ret. Time	Area	Area %	Ratio %
2.979	119221	2.59	4.07
3.190	304565	6.61	10.40
3.719	778417	16.90	26.58
5.792	475965	10.33	16.25
6.321	2928722	63.57	100.00

Area Percent / Library Search Report

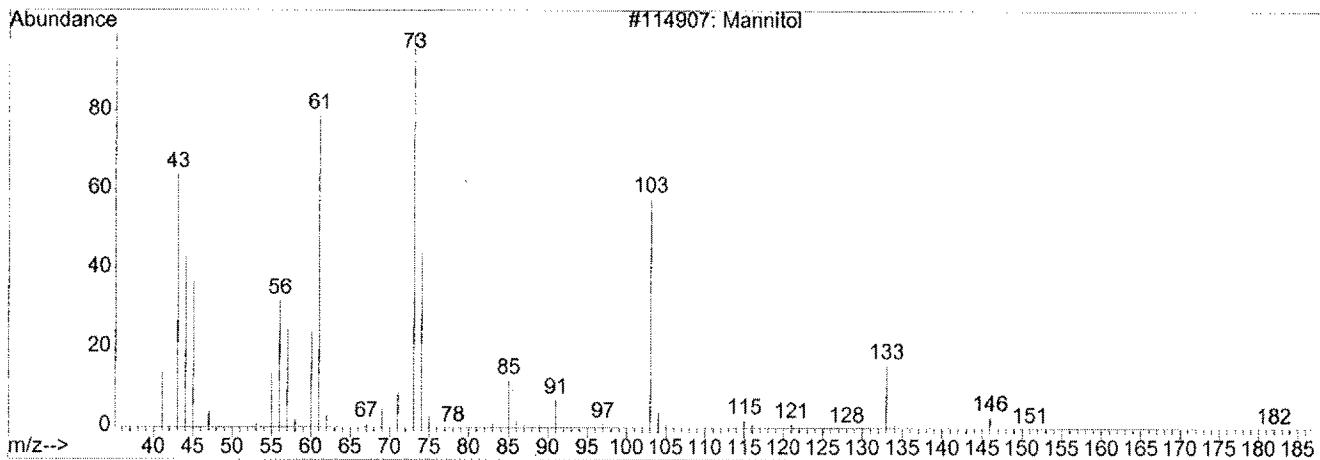
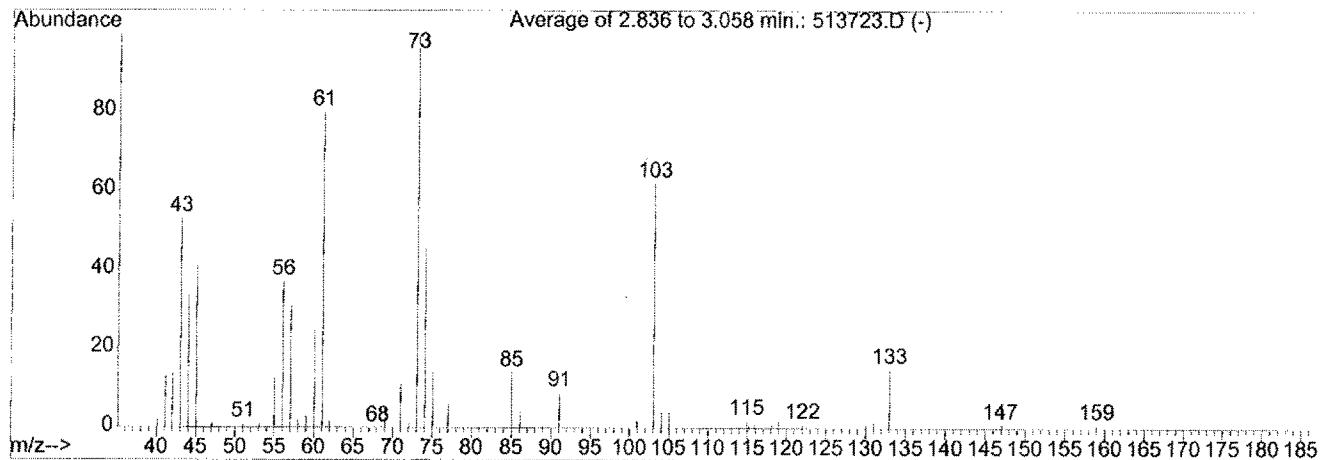
Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 16:23

Submitted by : KAC
Vial Number : 23
AcquisitionMeth: DRUGS
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90
C:\DATABASE\PMW_TOX2.L Minimum Quality: 90
C:\DATABASE\NIST98.L

PK#	RT	Library/ID	CAS#	Qual
1	2.98	C:\DATABASE\NIST98.L		
		Mannitol	000069-65-8	90
		Sorbitol	000050-70-4	86
		Sorbitol	000050-70-4	83



Area Percent / Library Search Report

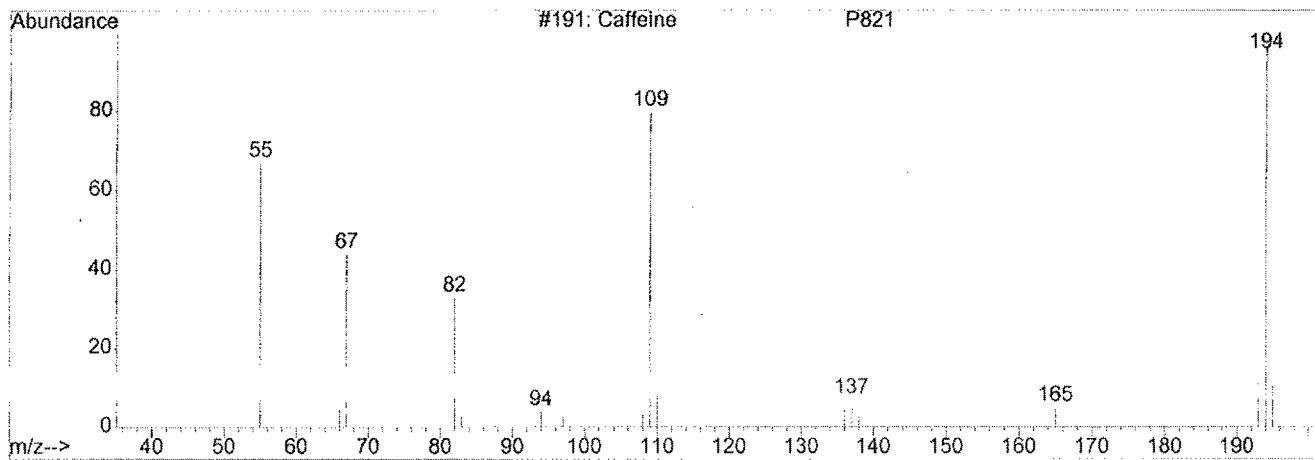
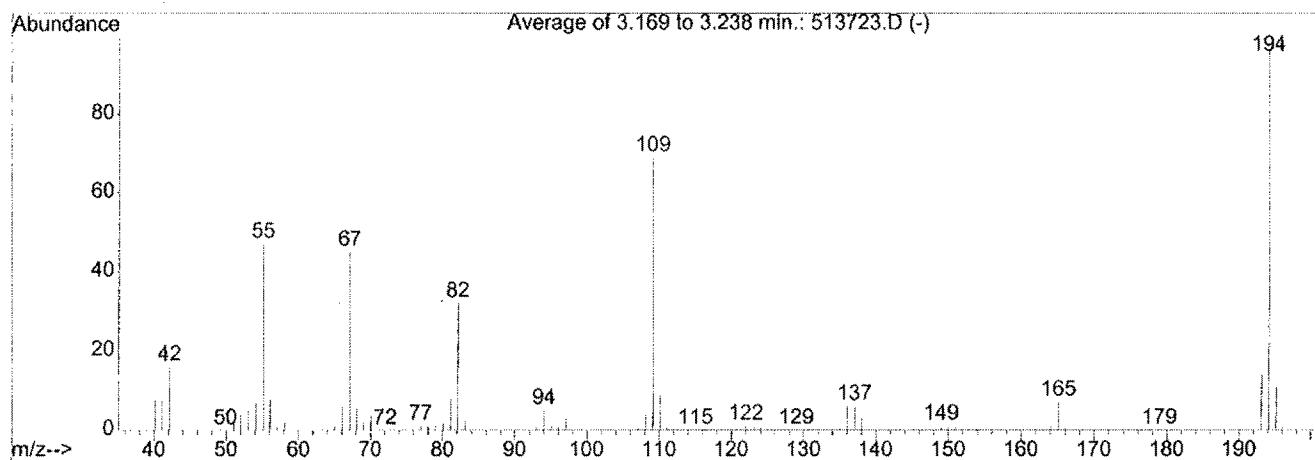
Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 16:23

Submitted by : KAC
Vial Number : 23
AcquisitionMeth: DRUGS
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90
C:\DATABASE\PMW_TOX2.L Minimum Quality: 90
C:\DATABASE\NIST98.L

PK#	RT	Library/ID	CAS#	Qual
2	3.19	C:\DATABASE\PMW_TOX2.L		
		Caffeine	000058-08-2	98
		Mescaline AC	000000-00-0	17
		Dichlorvos	000062-73-7	9



Area Percent / Library Search Report

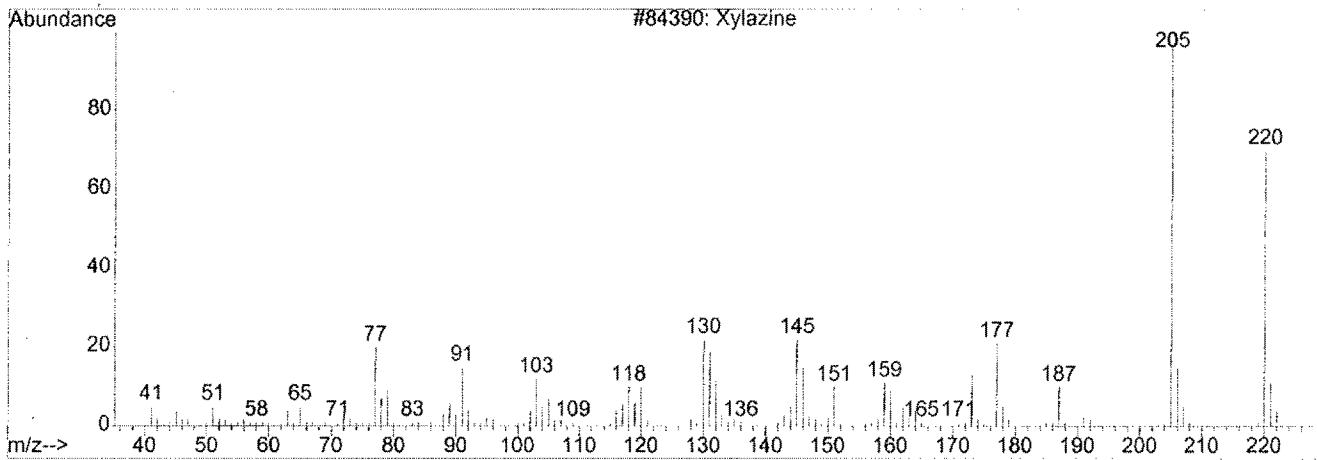
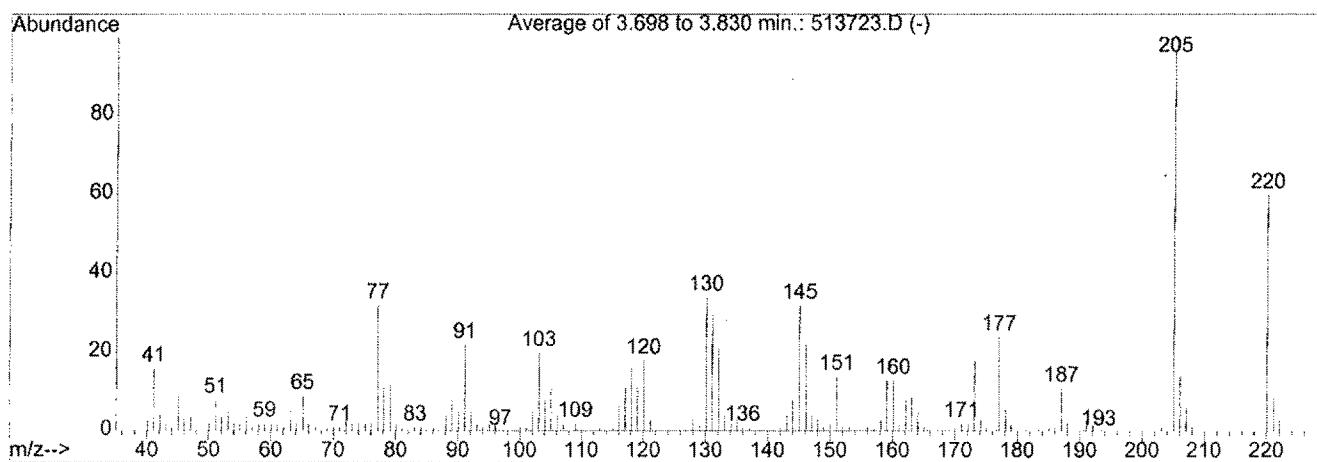
Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 16:23

Submitted by : KAC
Vial Number : 23
AcquisitionMeth: DRUGS
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90
C:\DATABASE\PMW_TOX2.L Minimum Quality: 90
C:\DATABASE\NIST98.L

PK#	RT	Library/ID	CAS#	Qual
3	3.72	C:\DATABASE\NIST98.L		
		Xylazine	007361-61-7	99
		Xylazine	007361-61-7	98
		3,5-Cyclohexadiene-1,2-dione, 3,5-b	003383-21-9	50



Area Percent / Library Search Report

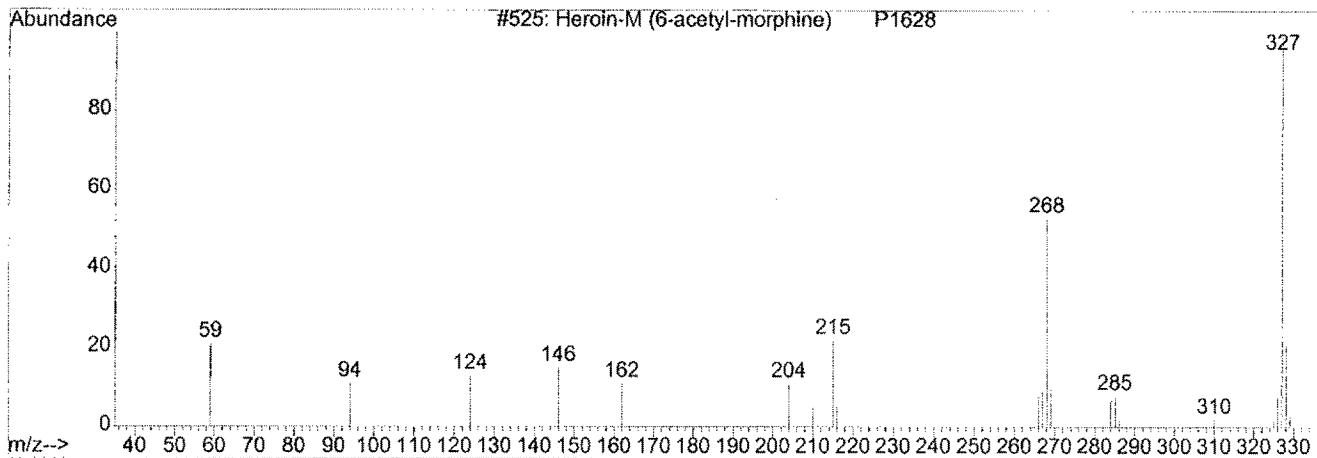
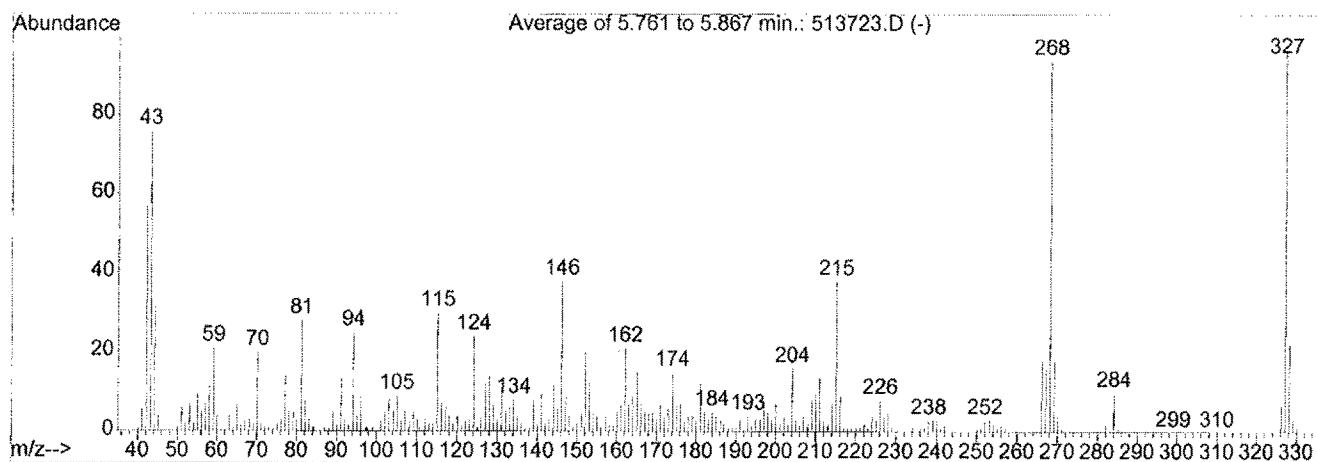
Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 16:23

Submitted by : KAC
Vial Number : 23
AcquisitionMeth: DRUGS
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90
C:\DATABASE\PMW_TOX2.L Minimum Quality: 90
C:\DATABASE\NIST98.L

PK#	RT	Library/ID	CAS#	Qual
4	5.79	C:\DATABASE\PMW_TOX2.L		
		Heroin-M (6-acetyl-morphine)	059833-14-6	94
		Heroin-M (3-acetyl-morphine)	000000-00-0	46
		Naloxone AC	000000-00-0	16



Area Percent / Library Search Report

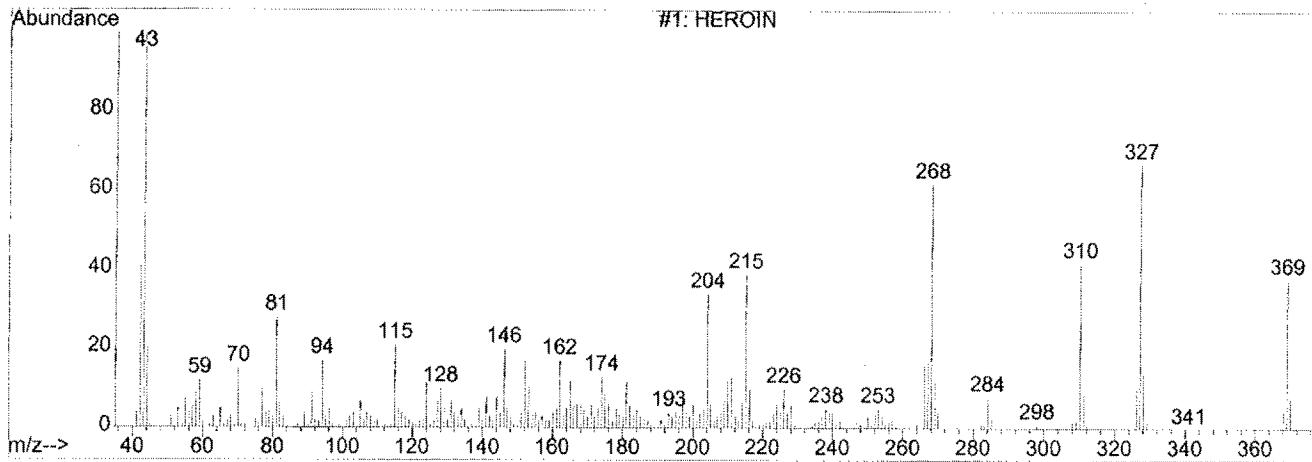
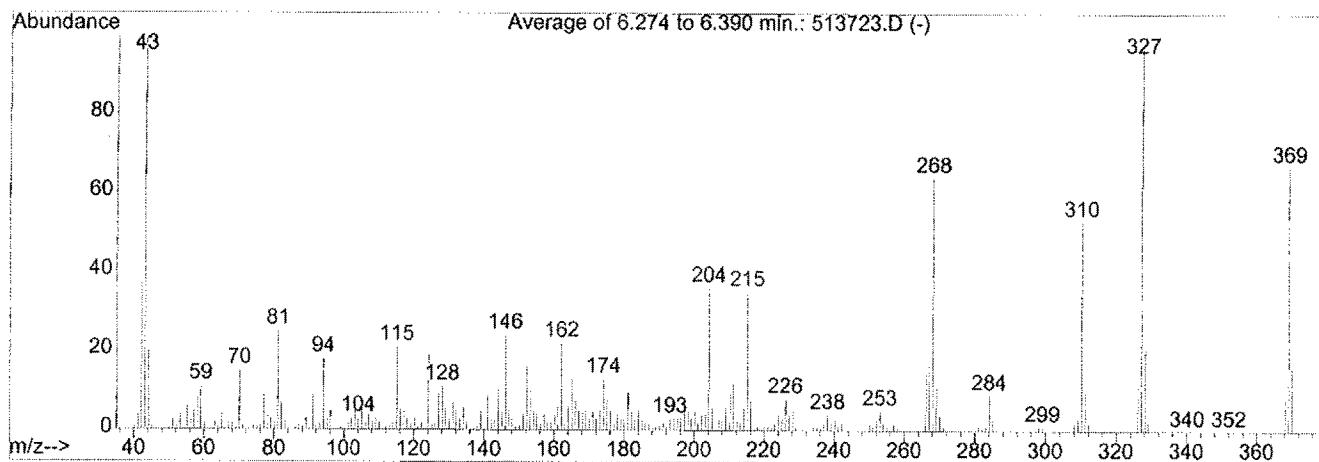
Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 16:23

Submitted by : KAC
Vial Number : 23
AcquisitionMeth: DRUGS
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90
C:\DATABASE\PMW_TOX2.L Minimum Quality: 90
C:\DATABASE\NIST98.L

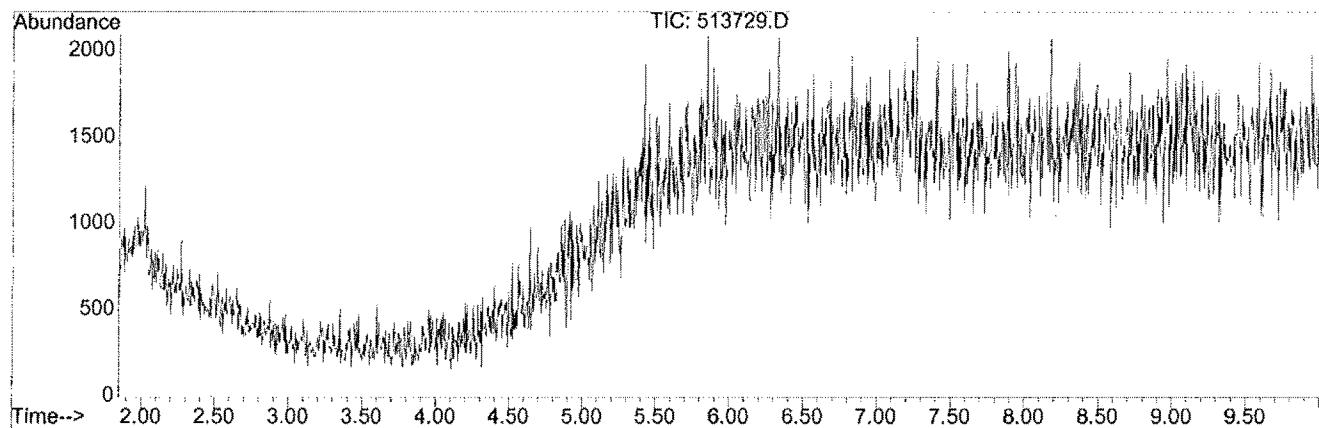
PK#	RT	Library/ID	CAS#	Qual
5	6.32	C:\DATABASE\SLI.L HEROIN	000561-27-3	99



Area Percent / Library Search Report

Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 17:45
Sample Name : BLANK
Submitted by :
Vial Number : 1
AcquisitionMeth: DRUGS
Integrator : RTE



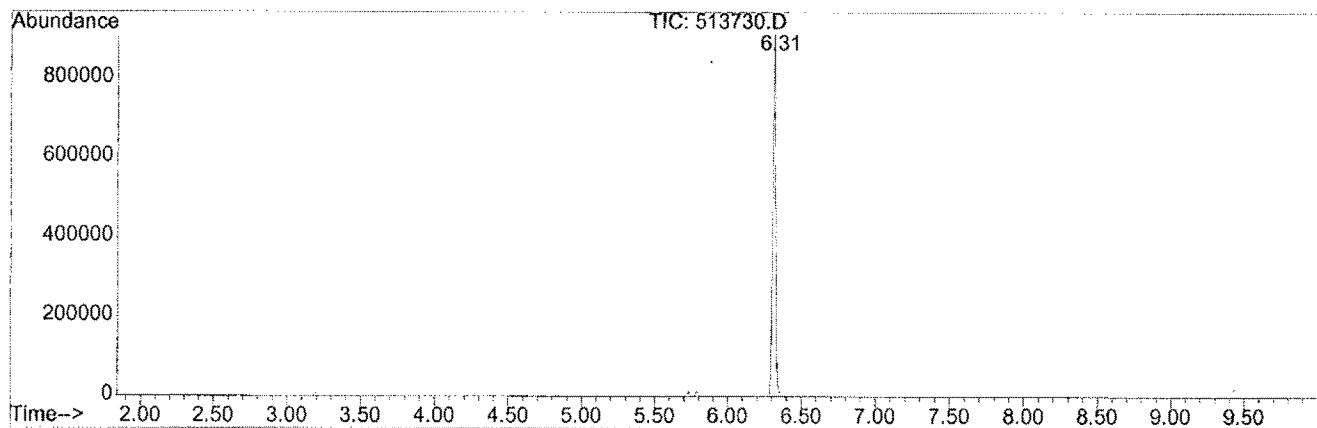
Ret. Time	Area	Area %	Ratio %
-----------	------	--------	---------

NO INTEGRATED PEAKS

Area Percent / Library Search Report

Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 17:59
Sample Name : HEROIN STD
Submitted by :
Vial Number : 30
AcquisitionMeth: DRUGS
Integrator : RTE



Ret. Time	Area	Area %	Ratio %
6.312	1222093	100.00	100.00

Area Percent / Library Search Report

Information from Data File:

Operator : NEM/P. PIRO
Date Acquired : 8 Mar 2007 17:59
Sample Name : HEROIN STD
Submitted by :
Vial Number : 30
AcquisitionMeth: DRUGS
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90
C:\DATABASE\PMW_TOX2.L Minimum Quality: 90
C:\DATABASE\NIST98.L

PK#	RT	Library/ID	CAS#	Qual
1	6.31	C:\DATABASE\SLI.L HEROIN	000561-27-3	99

